



## Chad

### Country Reports on Human Rights Practices - [2002](#)

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Chad is a centralized republic dominated by a strong presidency. President Idriss Deby, leader of the Patriotic Salvation Movement (MPS), has ruled since taking power in a 1990 rebellion. He was reelected President in May 2001; however, fraud, widespread vote rigging, and local irregularities marred the 2001 presidential election and the April legislative elections in which the MPS won 110 out of 155 seats in the National Assembly. The Government signed a formal peace treaty in January with the rebel Movement for Democracy and Justice in Chad (MDJT), led by former Defense Minister Youssouf Togoimi; however it still did not control some parts of northwestern Chad. In May 2000, the President and the National Assembly appointed 15 members of the High Court of Justice, despite a law providing for their election. The Constitution mandates an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference.

The army (ANT), Gendarmerie (State Police Force), police, National and Nomadic Guard (GNNT), Rapid Intervention Force (FIR), Republican Guard, Presidential Security Force, and the counterintelligence service (ANS) were responsible for internal security. Officers from President Deby's ethnic group dominated the FIR and the ANS. The National Army, Gendarmerie, the GNNT, and the Republican Guard (the Presidential Security Force) were deployed to fight the rebels. The various military and security forces generally were responsive to the civilian control of the Ministry of Defense (ANS and FIR), Ministry of the Interior (Gendarmerie and GNNT), and the Presidency (Republican Guard and the Presidential Security Force). The security forces committed serious human rights abuses.

The economy was based on subsistence agriculture, herding, and fishing, and more than 80 percent of the workforce was involved in these activities. The country's population was approximately 8.4 million. Impediments to sustainable economic growth were corruption and a thriving informal sector outside of government taxation policies. The Government remained heavily dependent on assistance from external donors and international financial institutions.

The Government's human rights record remained poor, and it committed serious human rights abuses. The Government limited citizens' right to change their government. Security forces committed extrajudicial killings, abductions, and continued to torture, beat, rape, and abuse persons. Prison conditions remained harsh and life threatening. Security forces continued to use arbitrary arrest and detention; the authorities arrested opposition leaders. The Government rarely prosecuted or punished members of the security forces who committed human rights abuses. Lengthy pretrial detention remained a problem. The Government held political detainees. The judiciary remained subject to executive interference and was unable to provide citizens with prompt trials. Security forces used illegal searches and wiretaps and monitored the contents of private mail. The Government at times limited freedom of the press. The Government took judicial action against independent newspapers for publishing material that it deemed prejudicial to the Government. The Government limited freedom of assembly. At times the Government limited freedom of religion and movement. Violence and societal discrimination against women were common. Female genital mutilation (FGM) was widespread. Both official and societal ethnic and regional discrimination remained widespread; northerners, in particular members of President Deby's Bidayat and the allied Zaghawa ethnic minorities, continued to dominate key positions in the public sector. Intermittent armed conflict between the Government and rebels in the Tibesti continued. There also were reports of forced labor, including forced child labor. Child labor was a problem. Trafficking in persons was a problem.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Officially sanctioned extrajudicial killings of suspected criminals by police, the military, and gendarmes continued. Units of the armed forces were responsible for the extrajudicial killings of suspected members of the northwestern rebellion in the Tibesti. The extrajudicial killings rarely were directed centrally; they usually occurred outside the capital, where there was less control over security forces. The Government rarely prosecuted or punished members of the security forces who committed extrajudicial killings. During the year, extrajudicial killings continued unabated, usually with impunity. This led to a generalized sense of insecurity among the population, particularly in N'Djamena.

On January 3, a Kelo man died as a result of injuries sustained when gendarmes tortured him (see Section 1.c.).

In April a member of the Presidential Security Guard killed 20-year-old Epe Madi along the banks of the Chari River. No legal action was taken by year's end.

On April 26, Luc Ndonnena of Bodo died in detention, after being tortured (see Section 1.c.).

No action was taken on the preceding cases by year's end.

On May 7, the body of 20-year-old student Desire Betoudji was found in N'Djamena. His assailant or assailants had tied his hands behind his back, beaten and stabbed him, then slit his throat.

On June 4, two armed men in uniform and driving an unregistered vehicle broke into the N'Djamena home of jeweler Kabirou Inoua, robbing and fatally wounding him. There was no report of an investigation or other action by year's end.

On December 12, approximately 20 high school students and their friends from the Lycee Bilingue du Centre in N'Djamena stabbed 4 of their teachers, killing Goloum Tando. A policeman who tried to intervene also was attacked and injured. The killing followed a November 30 attack on a teacher who told his students during a class that members of a certain ethnic group had once been slaves; this assertion resulted in the teacher being assaulted by his pupils' parents. The December 12 fatal attack and an unsuccessful attempt to burn down the school on December 10 were reprisals for this assertion. Police arrested the suspected perpetrators of the December 12 attacks; however it was unknown if they had been charged by year's end.

Landmines laid by government, foreign, and rebel forces in previous years caused numerous deaths during the year (see Section 5).

On April 21, Dr. Mahamat Guetti, president of the African Democratic Party (PDA) and parliamentary hopeful, died after his car hit a landmine outside of Faya, the evening after the elections. Five other passengers were wounded. The Government initially placed responsibility on the MDJT, but police later arrested three young men whom they accused of having laid the mine; these men were still being detained at year's end. Opposition parties and human rights groups pointed out that Dr. Guetti was contesting the ruling MPS party for the legislative seat and accused the Government of having laid the mine.

On August 29, rebel leader Youssouf Togoimi's vehicle ran over a landmine in northern Chad, seriously wounding him; he died on September 24 from these wounds.

There were no developments in the following 2001 cases of killing: Jean Paul Kimtolnan, Brahim Selguet, and the fatal torture case in Abeche.

There were no developments in the following 2000 cases of killing: The May 2000 kidnaping and subsequent death of a civilian in an N'Djamena park or the 2000 extrajudicial killings of members of the MDJT rebel group.

Armed bandits operated on many roads, assaulting, robbing, and killing travelers; some bandits were identified as active duty soldiers or deserters (see Section 2.d.).

There were sporadic reports of clashes between rebel and government forces during the year.

There were no further developments in the October 2001 killing of Maxime Mbailaou.

During the year, members of the Tibesti rebellion reported that members of the army committed human rights abuses and killed suspected collaborators among the civilian population.

Clashes along the Chad and Central African Republic (CAR) border continued during the year. On August 6, 22 persons, including two Chadian soldiers, died after a confrontation between the army and troops loyal to Abdoulaye Miskine, a citizen who now supports CAR President Patasse, which had crossed the border into the Chadian town of Sido. Several days later, forces supporting exiled CAR General Francois Bozize--who sought and received political asylum in Chad after his 2001 failed coup attempt--raided the CAR town of Kabo. These skirmishes followed several smaller confrontations throughout the year.

#### b. Disappearances

There were no reports of politically motivated disappearances.

There were no developments, nor were any likely, in the May 2000 disappearance of Souleyman Toke.

#### c. Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution specifically prohibits such practices; however, members of the security forces tortured, beat, abused, and raped citizens. Impunity for those who commit human rights abuses remained widespread.

On 26 April, Luc Ndonnena of Bodo died in detention after being tortured. Police had arrested him on April 22 on suspicion of rape.

On May 6, 12 members of the military raped a woman in the capital city of N'Djamena.

On July 23, security service members beat and robbed Mahamat Fadoul Awade, a student home on holiday with his family in N'Djamena. The agents approached him while he was out with his friends, telling him he was needed at the security services' office. There the agents assaulted and robbed him, accusing him of being a highway robber; agents also robbed two of his friends. After Awade surrendered his motorcycle, the agents allowed the young men to leave. The incident was referred to the security services for an internal investigation; however, there was no further action taken by year's end.

On July 25, six armed military members searched the temporary dwelling of several nomadic herders, ostensibly for weapons. Although they found no weapons, the military demanded that the herders pay them a \$1,500 (1 million CFA francs) fine, which the herders refused to do. The military left, promising to return the next day. When the military located one herder, they tortured him and killed his horse. Upon finding the others, the military opened fire, killing one and injuring two others. The military then tied up, tortured, and detained the eight unwounded herders. When found, the soldiers denied involvement. The detained herders were brought before a military chief in Doba, and three were subsequently arrested and tortured. After the herders' families reported the incident to the authorities in N'Djamena, the military transferred the detainees to the National Gendarmerie headquarters, charging the herders with being rebels. According to Le Progres newspaper, the National Gendarmerie sent a committee to investigate the incident; however, there were no further developments by year's end.

After a series of rebel attacks in northern and eastern Chad in October, government troops carried out acts of reprisal against the local population, including burning villages and killing livestock. Local residents accused the troops of oppressing the civilian population and targeting them for robbery.

During the year, police raped women in custody. For example, on October 11, a young woman in Bebedjia was taken into the gendarmerie custody after she witnessed her cousin being stabbed. While in custody, the brigade commander raped her. A month later, he repeatedly raped another woman also in his custody. On November 11, the officer was charged in court, and the trial was ongoing at year's end.

In most cases of torture, and other cruel, inhuman, or degrading treatment or punishment reportedly done by security forces during the year no action was taken.

There were no further developments in the January 2001 attack on Juliette Denemadji Abdelkader, the May 2001 police shooting in Sarh, the 2001 physical abuse of opposition politicians, the June 2001 beating in Abeche, the July 2001 torture cases in Abeche and Barh Koh, the September 2001 assault on human rights activist Dobian Assingar's family, or the security services' support of interethnic clashes in Bongor in 2001.

From February 26 to March 7, a judicial mission from Belgium visited the country, investigating crimes against humanity committed by former dictator Hissein Habre, who ruled from 1981 to 1990. In a letter dated October 7, Justice Minister Djimnain Koudji-Gaou informed the Belgian prosecutor that the Government had lifted Habre's diplomatic immunity and would not obstruct his prosecution. On October 8, Senegal's High Commissioner for Human Rights indicated that if the Belgian courts sought extradition of Habre, Senegal would permit it. The matter remained unresolved at year's end.

There were no reports of any investigation or action taken against the members of the security forces responsible for the following incidents in 2000: The October reported beating and abuse of a Zaghawa tribesman who was acting erratically near an embassy and died 3 days after his release from the National Security prison; the June severe beating, torturing, raping, and robbing with impunity of the residents of several villages in the south--Bessokoyan, Bekolo, Bembaitada, and Bamadja--whom the army accused of supporting the rebel chief Kette Nodji Moise; the May beating of Armel Ramadji, a high school student; the May severe beating of a civilian, Abdoulaye Absakine.

Landmines laid by government, foreign, and rebel forces in previous years caused numerous injuries during the year (see Section 5).

Prison conditions were harsh and life threatening. Prisons were characterized by serious overcrowding, poor sanitation, as well as inadequate food, shelter, and medical facilities. After visiting a prison in Abeche, a local human rights group reported that prisoners were malnourished, with only approximately 33 pounds of flour per day allotted to feed 145 people. Prisoners received either salt or a sauce made of okra as a condiment; they had meat once a year.

The law provides that a doctor must visit each prison 3 times a week; however, there were credible reports that this was not done. Prisoners in the Abeche facility also indicated that only those with access to money could receive hospital care.

The Government reported that there were more than 2,000 prisoners in 46 prisons throughout the country with nearly 700 in N'Djamena's Central Prison. The ongoing construction of a new prison was not completed by year's end. The law authorizes forced labor in prison.

Female prisoners usually were separated from males; however juvenile males were held with adult male prisoners. Pretrial detainees and political prisoners were held with the general prison population.

The Government permitted the International Committee of the Red Cross (ICRC) to visit all prisons, including some military prisons, although the Government insisted on advance notice. The ICRC conducted such visits during the year. Domestic NGOs, including human rights groups, may visit a prison only with authorization from a court or from the Director of Prisons. These groups reportedly were not allowed access to military prisons, and their access to civilian prisons depended greatly on the personal inclinations of judges and prison administrators. There were no publicized visits by domestic nongovernmental organizations (NGOs) during the year.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution and the Penal Code prohibit arbitrary arrest; however, security forces used arbitrary arrest and detention. A judicial official must sign arrest warrants; however, the Government often did not respect this requirement.

On January 11, authorities freed the president of a youth association from prison; he had been detained without charge for 1 month.

On March 23, gendarmes and the national police conducted sweeps throughout N'Djamena in an attempt to crack down on criminal activity. They moved 118 people to the town of Massakory (approximately 95 miles north of N'Djamena) and 70 more to Tourba, approximately 45 miles west of Massakory. A judge in Massakory ruled the detention irregular and deemed those held as not guilty of vagrancy, as accused by the gendarmes. Of all those arrested and moved, 90 percent were found to be in "regular administrative status," i.e., not wanted for criminal behavior, and were released several weeks after the initial detention.

On May 16, police used tear gas to evict a group of around 100 refugees from the N'Djamena cathedral, and took them to a holding facility at the national police academy. On April 7, the group occupied the cathedral to protest the

abduction of another refugee during police sweeps in March and to publicize the plight of refugees in the country (see Section 2.d.).

In October following a number of rebel attacks in the north, security forces conducted sweeps of N'Djamena, forcibly conscripting civilian men and sending them to military zones in the north and east.

There were no new developments in the following cases from 2001: The May beating and arrest of election monitors; the May arrest of opposition politicians contesting for the presidency; the May and July arrest and detention of officers accused of fomenting rebellion; and the September arrest of World Vision's head of donor relations.

There were no new developments, nor were any likely, in the 2000 detention and torture case in Pala or the reported 2000 killing of 25 alleged rebels.

Members of the CARP were responsible for numerous cases of arbitrary arrest and detention; they beat, tortured, and raped detainees with impunity.

Lengthy pretrial detention was a problem. Persons accused of crimes could endure up to several years of incarceration before being charged or tried, especially those arrested for felonies in the provinces, who then were transferred to the overcrowded prison in N'Djamena (see Section 1.c.). For example, on March 27, the state prosecutor and his assistants made an unannounced visit to two police stations in N'Djamena, where they found people being detained illegally for long periods of preventative detention; they also found evidence of torture. The prosecutor ordered the detainees released.

On October 16, Mahamat Tabako, who was arrested in 1994 for the 1991 murder of Allafouza Barkai, was finally given a court hearing. Tabako was a major in the GSP at the time of his arrest, and was accused of shooting Barkai after a fight. However, because the civil party to the case and the witness were not present, the case has been postponed indefinitely.

The Government continued to hold political detainees.

The Government did not practice forced exile; however, some family members of persons who had joined the northern rebellion chose to leave the country for safety reasons.

#### e. Denial of a Fair Public Trial

The Constitution mandates an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference. In practice government officials and other influential persons often enjoyed immunity from judicial sanction.

In 1999 President Deby swore in 16 members of the Supreme Court as well as 9 members of the Constitutional Court. In May 2000, the National Assembly enacted legislation calling for the election of 15 members of the High Court of Justice; however, the 15 members were appointed by President Deby and the president of the National Assembly. Although the establishment of these bodies fulfilled the Constitution's mandate for a judicial branch, some members of the Supreme Court and the Constitutional Court were appointed by the Government and not elected by citizens as required by the law, which weakened the independence of the courts.

The Constitution mandates a Superior Council of Magistrates to act as a guarantor of judicial independence, and in 2001, the Council sanctioned several judges for malfeasance. On June 20, President Deby signed a decree authorizing the creation of a 5-judge judicial oversight commission. The commission was empowered to conduct investigations of judicial decisions and correct judicial infractions. Parties to judicial cases who felt wronged by the judiciary or the Minister of Justice could appeal to the commission. There was no action by the commission during the year. President Deby appointed the members of the commission, which gave the executive branch further control over the judicial branch.

The national judicial system operated with courts located in provincial capitals. The N'Djamena Court of Appeals was supposed to conduct regular sessions in the provinces, but funding limitations did not permit the court to make circuit visits.

Applicable law can be confusing, as courts often tended to blend the formal French-derived legal code with

traditional practices. Residents of rural areas often lacked effective access to formal judicial institutions, and legal reference texts were not available outside the capital. In most civil cases, they relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Decisions could be appealed to a formal court.

Official inaction and executive interference continued to plague the judiciary. In several well-publicized incidents, members of the executive branch and the security services intimidated members of the judiciary. In Goz Beida, the subprefect threatened and then arrested a justice of the peace, while in Faya Largeau, another judge was killed. On July 30, the judges' union held a press conference to denounce the "barbaric behavior, laxity, and complicity" of some administrative and military authorities. The union demanded that the Government intercede to protect the judiciary's independence and also to end the state of insecurity under which judges lived.

The salaries of judicial officials often were low. Although the Government stated that the strengthening and reform of the judiciary were priorities, it made little progress in these areas by year's end.

No further action was taken, and none was likely, against five soldiers who attacked and stoned a defendant at a session of N'Djamena's criminal court in August 2000.

There were no reliable figures concerning the number of political prisoners. During the year, the Government reported that there were no political prisoners. In June 2000, detainees implicated in Kette Moise's rebellion--Charles Mbairam, Padja Ortingar, Mbairassem Elysee, Djikossem Nidja, Todjimbaye, and Michel Mbailemel--received public trials. However, other individuals arrested for suspicion of subversive activities against the Government in the Tibesti region simply were released or their whereabouts was unknown.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, authorities used illegal searches and wiretaps and monitored the contents of private mail. The Penal Code requires authorities to conduct searches of homes only during daylight hours and with a legal warrant; however, in practice security forces ignored these provisions and conducted unlawful searches at any time. Security forces also stopped private vehicles, motorcycles, bicyclists and pedestrians on a daily basis, extorting money or confiscating belongings.

On June 27, armed men in uniform forcibly entered the residence of a judge in Ati to take back a vehicle that the court had seized (see Section 1.e.). Under threat of death, he returned the car's papers to the intruders.

On October 31, seven men in uniform broke into the N'Djamena home of a local NGO coordinator, claiming to have been sent by the Government on an inspection. Once inside, they beat the coordinator's wife and stole about \$1,500 (1 million CFA francs) and some gold. That same night, another group of armed men broke into a home in N'Djamena, where they beat the resident and stole approximately \$9,000 (6 million CFA francs), jewelry, and other belongings. No action was taken by year's end.

There were no new developments in the September 2001 raid on human rights activist Dobian Assingar's home.

The Government engaged in wiretapping without judicial authorization, monitored the contents of private mail through the postal service, and monitored private e-mail through the main post office server. There were no reports of government wire tapping during the year.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected freedom of speech; however, the Government limited freedom of the press in practice. The Government controlled the newspapers Info Tchad and Victoire and influenced Le Progres; however, it did not dominate the press. A number of private newspapers were published in the capital; most were extremely critical of government policies and leaders. Unlike in previous years, the Government did not detain journalists. However, the Government continued to threaten journalists with legal retaliation for publishing material on the rebellion in the northern part of the country or about senior government officials accused of corruption or responsibility for attacks on Chadian citizens in Libya.

On August 28, the courts rejected a lawsuit filed by Mandigui Yokabdjim, now Minister of Education and former

rector of the University of N'Djamena, against the independent weekly paper, Notre Temps. The paper had published an article denouncing Yokabdjim's leadership at the University and catalogued alleged misdeeds that occurred during his tenure. The court dismissed the approximately \$150,000 (100 million CFA francs) suit on a technicality--the press law stipulates that in cases of defamation, only the person defamed may pursue the suit. In this case, the University, not Yokabjim, signed the complaint. The University was appealing the decision.

In November the Government filed a complaint against the private media with the High Council on Communication (HCC). The Government accused the media of "biased treatment of information in times of war" and deplored the "taking of partisan positions" in media coverage of rebel attacks in the north and the failed coup attempt in the CAR, in which the Government was implicated. On November 12, the HCC convoked media representatives to reprimand them and agreed with the Government that the media had demonstrated a "lack of patriotism" in its coverage. On November 20, to protest proposed revisions of the press law that they deemed harmful to freedom of the press, three private radio stations launched a strike; during the first week of December, private newspapers also went out on strike.

Due to widespread illiteracy and the relatively high cost of newspapers and television, radio was the most important medium of mass communication and information. The Catholic Church-owned La Voix du Paysan broadcast locally produced programming including news coverage and political commentary in French and indigenous languages from Doba over a 140-mile range. The HCC has set the licensing fee for a commercial radio station at a prohibitively high level: Approximately \$9,000 (6 million CFA francs) per year, 10 times the fee for radio stations owned by nonprofit NGOs such as La Voix du Paysan. However, the number of private FM stations has increased, including station FM Liberte, owned by a group of human rights organizations.

The Government placed limits on radio broadcasting. On February 11, the HCC banned FM Liberte for 3 weeks, accusing the station of inciting hatred. The HCC imposed the ban after FM Liberte broadcast erroneous reports concerning a student strike in Ngaoundere, Cameroon, that incited violent anti-Cameroonian riots.

During the year, local authorities in Moissala, including the mayor, subprefect, and the military, infringed on Radio Brakos' right to broadcast. The station appealed to the HCC to intervene on the station's behalf. After the president of the HCC and a delegation from the Ministry of Communications traveled to the region to investigate Radio Brakos' charges, the HCC sent a letter to the Minister of the Interior, objecting to the local authorities' interference in the journalists' work and to the confiscation of Radio Brakos' tapes and equipment.

The Government owned and operated the only domestic television station. On January 16, the Ministry of Communications suspended Hassan Boukar, editor in chief, and Ahmat Yacoub Adam, journalist, at the state-run television station, Tele-Tchad. After the Government signed a peace accord with the main rebel group, the MDJT, the international media covered the agreement widely. Ahmat Yacoub wrote and broadcast a piece criticizing local authorities for giving preferential treatment to foreign journalists over local ones. On January 22, in response to the suspensions, Tele-Tchad employees went on strike for several hours, until the Minister of Communications issued two decrees canceling the two suspensions.

On August 8, Tele-Tchad management censored a tape recorded by its own employees of a fight between Tele-Tchad employees and customs officers. The employees became involved in the melee when they witnessed and tried to stop customs officers beating a child in front of the Tele-Tchad office. A Tele-Tchad cameraman filmed the encounter, but the station hierarchy refused to broadcast it.

A new private television station was registered in 2001; however, demand for private television was limited by economic conditions, such as the lack of a sizeable audience with the required purchasing power. There was one privately owned satellite television service that distributed foreign programming in French and Arabic, but relatively few citizens could afford to subscribe to the service. A South African satellite network also sold subscriptions.

The official media, consisting of a national radio network, a press agency, and N'Djamena's only national television station, were subject to both official and informal censorship; however, at times they were critical of the Government. The official media also gave top priority to government officials and events, while providing less attention to the opposition.

The sole Internet access server was provided by the government-owned telecommunications monopoly. The Government did not restrict access to the Internet; however, the state-owned firm reportedly set prices and provided a quality of service that discouraged the establishment of private domestic Internet service providers.

The Government did not restrict academic freedom.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government limited this right in practice. The law requires organizers of public demonstrations to notify local authorities 5 days in advance of the demonstration. Authorities banned demonstrations critical of the Government despite being notified in advance as required by law. In contrast, the authorities permitted peaceful demonstrations in support of the Government and its policies.

In February human rights organizations filed suit on behalf of the women that riot police wounded in June 2001 in front of the French embassy, and on behalf of the family of Brahim Selguet, the young man whom Presidential Guardsmen shot and killed in May 2001, following the presidential elections. The suit demanded that those responsible be held accountable and relieved of their duties. Although a judge was assigned, there was no further legal action by year's end.

The Constitution provides for freedom of association, and the Government generally respected this right in practice.

#### c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respected this right in practice; however, at times it limited this right.

The Government required religious groups, including both foreign missionary groups and domestic religious groups, to register with the Ministry of Interior's Department for Religious Affairs. Registration conferred official recognition but not any tax preferences or other benefits. There were no specific legal penalties for failure to register, and there were no reports that any group had failed to apply for registration or that the registration process was unduly burdensome. The Government reportedly has denied official recognition to some groups of Arab Muslims in Ati, near the eastern border with Sudan, on the grounds that they have incorporated elements of traditional African religion, such as dancing and singing, into their worship.

On July 17, the Minister of Territorial Administration formally admonished the Catholic Church to stay out of all political activities. The Minister was reacting specifically to a "train the trainers" program that the Church conducted for election observers in advance of municipal elections, which were scheduled for 2003. A representative from the Ministry attended both the opening and the closing of the workshop, at the Church's invitation. According to the Minister, the Catholic Church was trying to become a political party or a civil society organization, which would intermix illegally religion and politics. However, during the 2001 presidential elections, the head of the Superior Council of Islamic Affairs was allowed to campaign on behalf of a Muslim candidate.

According to a Protestant pastor in N'Djamena, while differing faiths or denominations were treated equally by the Government, Islamic congregations appeared to have an easier time obtaining official permission for their activities. Non-Islamic religious leaders also claimed that Islamic officials and organizations received greater tax exemptions and unofficial financial support from the Government. State lands reportedly were given to Islamic leaders for the purpose of building mosques, while other religious denominations must purchase land at market rates to build churches.

Although the different religious communities generally coexisted without problems, there were reports of occasional tension between Christians and Muslims due to the proselytizing by evangelical Christians.

For a more detailed discussion see the 2002 International Religious Freedom Report.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, there were some limits on them in practice. The Government did not require special permission for travel in areas that it effectively controlled; however, elements of the security forces, rebels, and bandits continued to maintain many roadblocks throughout the country, extorting money from travelers. The Government did not officially condone such behavior on the part of members of security forces, however, it did not discourage it effectively. In addition, armed bandits operated on many roads, assaulting, robbing, and killing travelers; some bandits were identified as active duty soldiers or deserters (see Section 1.a.).

On April 28, members of the military driving an unregistered Toyota robbed and beat merchants in three cars coming home from the weekly market. One passenger was wounded seriously, and approximately \$7,000



(approximately 4.6 million CFA francs) worth of cash and goods was stolen. The robbers were not apprehended.

Chadian refugees were legally free to repatriate. The World Refugee Survey stated that about 35,000 Chadians (about 30,000 in Cameroon, 2,000 in the CAR, and 3,000 in Nigeria) were refugees at the end of 2001.

Figures on the numbers of refugees living in the country varied. According to the World Refugee Survey, Chad hosted 15,000 Sudanese refugees at the end of 2001; however, the U.N. High Commissioner for Refugees (UNHCR) set the total number of refugees in the country at the end of 2001 at 13,000 (mostly Sudanese with approximately 300 refugees from the Democratic Republic of the Congo).

The Government adhered to the principles of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, these principles were not incorporated into the law. An official national structure, the National Committee for Welcoming and Reinsertion (CONAR), handled domestic and foreign refugee affairs. The Government cooperated with the UNHCR and other humanitarian organizations assisting refugees. At the end of 2001, the UNHCR closed its branch office in N'Djamena as part of a worldwide scaling down operation; the UNHCR office in Bangui, Central African Republic, now has jurisdiction over Chad. The Government provided first asylum for refugees. The Government has granted refugee and asylum status informally to persons from Sudan and the Republic of the Congo and has allowed them to remain for resettlement.

On March 26, gendarmes kidnaped refugee Bienvenu Ngala Mambweni, along with more than 100 other persons, and took him to a town approximately 105 miles northeast of N'Djamena. On April 7, around 180 to 250 refugees, mostly Congolese but also Rwandan, Sudanese, Somali, Central African and Sierra Leonean, occupied the national cathedral in protest. One day later, Mambweni was returned to N'Djamena; however, the refugees refused to leave the cathedral and demanded that the UNHCR resettle them in a different third country (many of the occupiers were not officially recognized as refugees by the UNHCR.) On May 7, a UNHCR delegation visited the group and signed up some of the refugees for repatriation to their countries of origin; however, the UNHCR refused to agree to third-country resettlement. Authorities moved those who agreed to resettlement in their countries of origin to resettlement camps and, on August 26, 88 Congolese refugees voluntarily repatriated. Although no date was set, an additional 38 persons (20 Central Africans, 10 Sudanese and 8 Congolese) were to be repatriated in the next tranche.

For those who refused repatriation, the UNHCR delegation offered approximately \$50 (35,000 CFA francs) should they leave the cathedral. Many refused the offer. On May 16, the military forcibly evicted the refugees from the cathedral using tear gas (see Section 1.d.). The repatriation of the remaining cathedral refugees was dependent on their home country's willingness to accept them back. At year's end, 20 Sudanese and 9 Central Africans were awaiting repatriation; others decided to emigrate to a third country.

There were no reports of the forced return of persons to a country where they feared persecution.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, the Government continued to limit this right in practice. The Government was headed by a prime minister who was nominated by the President and confirmed by the National Assembly. In June President Deby appointed Haroun Kabadi as Prime Minister, replacing Nagoum Yamassoum, who had served for 3 years. The executive branch dominated all other branches.

During April legislative elections, President Deby's MPS party won 110 out of 155 seats in the National Assembly. The election results were largely determined in advance, due in large part to a faulty electoral census that the Government refused to revise, as well as to inaccurate registered voter lists. In addition, the MPS, running allied with another party in some districts, was the only political party to have a candidate in every district. Two of the primary opposition parties chose to boycott because of their concerns with the electoral conditions and urged their supporters to stay away from the polls. Turnout was just over 50 percent nationwide but only 22 percent in the capital. There were reports of irregularities committed on election day.

During the period leading up to and following the May 2001 presidential election, several cases of abuses against opposition supporters and candidates took place.

According to several observers, President Deby's first-round victory in 2001 was marked by irregularities, including voting by minors and unregistered voters, early and repeat voting by nomadic groups, election day campaigning by the ruling party, and the presence of government officials and the military in polling stations during the voting.

While monitoring the voting process, unofficial observers from local human rights and civil society groups were assaulted in polling stations.

The Government restricted media coverage of the elections (see Section 2.a.).

The State remained highly centralized. The national Government appointed all subnational government officials, who must rely on the central Government for most of their revenues and their administrative personnel.

Many political parties objected to the Government's proposed decentralization plan and presidentially decreed internal territorial divisions. Opposition political leaders accused the Government of coopting their most popular local politicians to run as MPS members in upcoming local elections and also alleged intimidation by the military against those party members who refused.

The Independent Elections Commission, which is dominated by the MPS party, was ineffective in overseeing the April legislative election and the May 2001 presidential elections.

Few women held senior leadership positions. There were 3 women in the 125-seat National Assembly, and there were 2 women of cabinet rank.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Human rights organizations generally operated with few overt restrictions, investigating and publishing their findings on human rights cases; however, the Government obstructed the work of human rights organizations during the year through arrest, detention, and intimidation (see Sections 1.c. and 1.d.). Government officials often were accessible to human rights advocates; however, they generally were unresponsive or hostile to their findings. Areas of particular difficulty between the Government and human rights organizations were the latter's attempts to mediate between the Government and rebel groups and their attempts to monitor the legislative elections (see Section 3).

On October 3, Sylahorbe Maningonal and David Mamtadjinan, two members of the Maro branch of the Chadian League of Human Rights (LTDH), were arrested and tortured. Police accused them of possessing illegal weapons and belonging to a rebel group; however, the LTDH believed that their detention and torture was organized by an official in the intelligence service, who the LTDH had accused of carrying out human rights abuses during the regime of former president Hissene Habre.

Human rights groups were outspoken and often partisan in publicizing the abuses through reports, press releases, and the print media; however, they only occasionally were able to intervene successfully with authorities. They often sent statements to diplomatic missions and international NGOs. Most human rights groups were composed of opponents of the Government, which weakened their credibility with the Government and some international organizations.

NGOs gained some recognition under the Deby regime and played a role in political events. Human rights groups assisted the Government in mediation efforts between herders and farmers over land and water rights.

International human rights organizations were restricted. The Government has refused Amnesty International's request to investigate human rights abuses in the country; however, the Government permitted a Belgian judicial delegation and a representative of Human Rights Watch to visit the country and interview victims of and witnesses to human rights abuses committed by deposed dictator Hissene Habre. The delegations indicated that the Government cooperated fully during their mission; however, the delegations did not investigate current human rights concerns.

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens, regardless of origin, race, religion, political opinion, or social status. In practice cultural traditions maintained women in a status subordinate to men, and the Government favored its ethnic supporters and allies.

#### Women

Domestic violence against women was common, although no statistics were available. By tradition wives were subject to the authority of their husbands, and they only had limited legal recourse against abuse. Family or traditional authorities could act in such cases; however, police rarely intervened.

Rape, prostitution, and sexual harassment were all problems. Rape and prostitution were prohibited by law; however, sexual harassment was not.

FGM was widespread and deeply rooted in tradition. A U.N. study estimated that approximately 60 percent of all women in the country had undergone FGM; the practice was especially prevalent among ethnic groups in the east and south, where it was introduced from Sudan. All three types of FGM were practiced; the least common but most dangerous and severe form of FGM, infibulation, was confined largely to the region on the eastern border with Sudan. FGM usually was performed prior to puberty as a rite of passage.

Opposition to the elimination of FGM was strong; however, some progress has been made. On March 28, the Parliament passed a law on reproductive health, which included a section banning violence against women, including FGM. In previous years, both the Government and the NGO community conducted active and sustained public education campaigns against this practice. In April a parliamentary delegation met with local opinion leaders in the eastern town of Am-Timan to discuss FGM and its public health implications. In May the first regional symposium on FGM was held, bringing together around 40 members of civil society associations, traditional leaders, religious authorities and others from the 5 southeastern and south-central administrative departments. A prominent NGO continued its anti-FGM education campaign during the year. The Ministry of Social Action and the Family was responsible for coordinating activities to combat FGM. The law makes FGM theoretically a prosecutable offense as a form of assault, and charges can be brought against the parents of FGM victims, medical practitioners, or others involved in the action; however, no such suits were brought by year's end.

Discrimination against women remained widespread. In practice women did not have equal opportunities for education and training, making it difficult for them to compete for the few formal sector jobs. Property and inheritance laws based on the French code do not discriminate against women, but most inheritance cases were not adjudicated in the court system. Rather, they were resolved by local leaders, with traditional practice favoring men. A 1999 study found that 21 percent of housewives could not work outside the home because their husbands forbade them to do so. The exploitation of women was pervasive especially in rural areas, where women did most of the agricultural labor and were discouraged from formal schooling. Illiteracy was estimated at 66 percent for women as compared with 41 percent for men. Under the law, polygyny was sanctioned; however, spouses may opt for monogamy. If a monogamous relationship was violated, the wife has the right to request that the marriage be dissolved; however, she must repay the bride price and other expenses related to the marriage.

#### Children

The Government took some actions to improve children's rights and welfare, but it had few resources for these purposes. Although the Government continued to increase modestly its assistance to the education sector, the Government did not have enough money to provide adequate funding to public education and medical care. Government education policy for children and youth was focused on increasing classroom facilities and infrastructure.

The Government did not enforce compulsory education. The Constitution provides for compulsory education, but it does not specify until which age. The Constitution also provides for free education; however, parents complained that they must pay tuition to public schools. Educational opportunities for girls were limited, mainly because of tradition. Approximately as many girls as boys were enrolled in primary school, but the percentage of girls enrolled in secondary school was extremely low, primarily because of early marriage.

The law considers any citizen under the age of 18 years as a minor. Sexual relations, even with consent, before the age of 13 years were considered to be rape and the prescribed sentence was for hard labor in perpetuity; the age of consent was 14. Child abuse was a problem.

FGM was practiced commonly on young girls (see Section 5, Women).

Although the law prohibits sexual relations with a girl under the age of 14, even if married, this law rarely was enforced, and families arrange marriages for girls as young as the age of 12 or 13; the minimum age for engagements was 11 to 12. There were some forced marriages, for the financial gain of a dowry (see Section 6.c.). Many young wives then were forced to work long hours of physical labor for their husbands in fields or homes (see Section 6.d.).

Several human rights organization reported on the problem of the "mahadjir" children. These children, who attended certain Islamic schools, were forced by their teachers to beg for food and money. There were no real estimates as to the number of mahadjir children; however, UNICEF was conducting a study on children's status that was expected to include figures on mahadjir children.

Although the practice was prohibited by law, UNICEF estimated that there were approximately 600 child soldiers in the country. In addition, UNICEF estimated that there were approximately 10,000 street children. There were credible reports that the military conscripted teenage Zaghawa to fight in the Tibesti region of the country during the year.

In July 40 members of a network of associations and NGOs working for children, met to adopt a plan of action for the protection of children's rights. They decided to publish a bimonthly bulletin called The Voice of the Children, create a cultural theater group for education and training on the rights of children, and establish an information center on the rights of children.

During the year, the NGO Medecins du Monde (Doctors of the World) and the city of N'Djamena sponsored 84 training sessions on health and hygiene for street children.

#### Persons with Disabilities

There was no official discrimination against persons with disabilities; however, the Government operated only a few therapy, education, or employment programs for persons with disabilities, and no laws mandate access to buildings for persons with disabilities. Several local NGOs provided skills training to the deaf and blind.

In 2000 the number of citizens with disabilities was estimated at approximately 500,000; most were disabled as a result of polio, blindness, and old age. The majority of them were illiterate and unemployed, and many were beggars.

An ophthalmologist at the National General Hospital estimated that 10 percent of all citizens had some visual dysfunction--approximately 150,000 were blind, and approximately 600,000 were visually impaired. There were only three ophthalmologists in the country.

#### National/Racial/Ethnic Minorities

There were approximately 200 ethnic groups, many of which were concentrated regionally and speak 128 distinct primary languages. Most ethnic groups were affiliated with one of two regional and cultural traditions: Arab and Saharan/Sahelian zone Muslims in the north, center, and east; and Sudanian zone Christian or animist groups in the south. However, recent migrations in response to urbanization and desertification made a north-south breakdown too simplistic.

Societal discrimination continued to be practiced routinely by members of virtually all ethnic groups and was evident in patterns of buying and employment, in patterns of de facto self-segregation in urban neighborhoods, and in the paucity of interethnic marriages, especially across the north-south divide. The law prohibits state discrimination on the basis of ethnicity; however, in practice ethnicity continued to influence government appointments and political alliances. Northerners, in particular members of President Deby's Bideyat and allied Zaghawa ethnic groups, continued to dominate the public sector and were overrepresented in key institutions of state power, including the military officer corps, elite military units, and the presidential staff. Political parties and groups generally continued to have readily identifiable regional or ethnic bases (see Section 3).

In the army's struggle against the Tibesti rebels, hundreds of soldiers were killed or injured by landmines and unexploded ordinance in 1998 and 1999; numerous deaths and injuries from landmines continued during the year. During the year, the Government exhibited a pattern of discrimination in selectively separating injured northerners, especially Zaghawa, from southerners for treatment, with the Zaghawa given preferential medical treatment, including evacuation abroad. Human rights groups in Faya Largeau charged that many untreated injured southerners were left to die as a result of the selective access to medical treatment based solely on ethnicity.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution recognizes freedom of association and union membership, as well as the right to strike, and the Government generally respected the right to organize in practice. All employees, except members of the armed forces, were free to join or form unions. However, few workers belonged to unions, since most workers were unpaid subsistence cultivators or herders. The main labor organization was the Chadian Syndicates' Union (UST). The Teacher's Union of Chad became independent in 1998. Neither union has ties to the Government. A number of minor federations and unions, including the Free Confederation of Chadian Workers, also operated, some with ties to government officials.

The Labor Code ended long-standing legal restrictions on trade union rights; however, there were reports that a 1962 ordinance requiring prior authorization from the Ministry of the Interior before an association can be formed still was in force. The ordinance also allowed for the immediate administrative dissolution of an association and permitted the authorities to oversee associations' funds. The Government allegedly applied this law to unions on several occasions despite assurances that only the Labor Code would govern the unions; there were no reports of such action during the year. The International Labor Organization (ILO) Committee of Experts has cited the Government for its denial of the right to establish an organization without prior approval. The Committee noted that Ordinance No 27 regulating associations subjects the establishment of associations to the Ministry of the Interior who had extensive power to oversee the management under penalty of dissolution.

The unions were supportive of the opposition and played a limited role in the legislative election campaign. In 2001 they had a much more active role in the presidential election campaign. The Government applied some pressure on the unions after the election, urging them to go back to focusing on labor issues rather than politics.

The Labor Code protects unions against antiunion discrimination, but there was no formal mechanism for resolving such complaints.

Labor unions have the right to affiliate internationally. The UST affiliates with the International Confederation of Free Trade Unions.

#### b. The Right to Organize and Bargain Collectively

The Constitution contains only general provisions for the rights of the Government to set minimum wage standards and to permit unions to bargain collectively. The Labor Code has specific provisions on collective bargaining and workers' rights. The Labor Code authorizes the Government to intervene in the bargaining process under certain circumstances.

The Constitution recognizes the right to strike, and the Government generally respected this in practice. The law permitted imprisonment with forced labor for participation in strikes; however, there was no such punishment during the year. During the year, there were legal and illegal strikes in various sectors, particularly postal services, petroleum, and education.

There were no export processing zones.

#### c. Prohibition of Forced or Bonded Labor

The Constitution and the Labor Code prohibit forced or bonded labor, including by children; however, there were reports of forced labor practices in the formal economy and isolated instances of forced labor by both children and adults in the rural sector by local authorities as well as in military installations in the north. In 2000 a local newspaper reported that workers in the National Sugar Company of Chad, the sugar parastatal, were forced to work but were not paid. Some young girls were forced into marriages by their families; these girls then were forced to work in their husbands' fields or homes (see Section 5). There were reports that Zaghawas were conscripted forcibly into the armed forces throughout the year. In December 2000, security forces in N'Djamena reportedly rounded up army deserters and other individuals described as bandits, sent them to the northern military front, and forced them to fight alongside government troops. Ordinances of the law permitted forced labor imprisonment for participation in strikes, which the ILO has requested the Government to repeal; however, the ordinances were not repealed by year's end.

Abusive and exploitative child labor existed and affected an estimated 20 percent of children between the ages of 6 and 18 years of age.

In September the quasi-official National Commission on Human Rights wrote a letter of protest to the Prime Minister concerning reports of children being sold and exploited in Koumra and other cities in the Mandoul region.

The Commission asked local and national authorities to put an end to this problem and called for the creation of a special team to investigate and fix responsibilities. No action was taken by year's end.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code stipulates that the minimum age for employment in the formal sector was 14 years; however, the Government did not enforce the law in practice. The labor law provides that anyone under the age of 18 is a child and prohibits children from undertaking "any work which, by its nature or the circumstances in which it was carried out, was likely to harm the health, safety or morals of children." According to a 2000 UNICEF study, 65.5 percent of minors worked, including those performing domestic chores for more than 4 hours per day, those working within the family (herding, microcommerce, etc.), and those who worked for someone outside the family but who were underage. One out of 5 children between 6 and 18 years of age worked in the urban informal sector. Throughout the country, children worked in agriculture and herding during the year. Children were also employed in the commercial sector, particularly in the capital, as street vendors, manual laborers, and helpers in small shops. Young girls worked as domestic servants, again mainly in N'Djamena.

In an investigative piece on child labor, a local semi-weekly newspaper gave several examples of urban child labor. Included among them was the case of an 8-year-old boy, who hauled bricks from a firing oven to a vending site more than half a mile away, earning \$.01 (10 CFA francs) per brick, for a total of between \$0.75 to \$1.40 (500 to 750 CFA francs) per day. In another case, a 13-year-old boy transported sand for \$1.40 to \$1.50 (750 to 900 CFA francs) per day. The article noted that teenagers also employed still younger children to carry out work for them, like hauling sand and brick.

There were reports that in the southern part of the country, families contracted out their children to Arab nomadic herders to help care for their animals, and the children often were abused and returned with little financial compensation for their work. For example, the family of Mbaye Ngabaye, a preteen boy, sold him to a nomadic herder for \$15 (10,000 CFA francs) in 1998. The local official, who witnessed the transaction, received \$7.50 (5,000 CFA francs). The contract was for 3 years, and every 6 months, the boy would be allowed to bring one calf back to the village; in reality, he only received two calves in 3 years. The family then sold one of the calves to feed their 11 remaining children, while the second was sold to pay for the incision (FGM) of his sisters. After a documentary filmmaker intervened, the child was returned home. Some children worked as domestic servants in the households of relatives for little compensation.

The Government worked with UNICEF to increase public awareness of child labor. During the year, the Government cosponsored with UNICEF a number of workshops, seminars, and radio broadcasts to raise awareness of the abuses of child labor and to advocate elimination of the worst forms of child abuse. For example, the Ministry of Communications, in conjunction with UNICEF, held a competition for the best radio broadcast on the issue of child labor.

Forced child labor was a problem (see Section 6.c.).

#### e. Acceptable Conditions of Work

The Labor Code requires the Government to set minimum wages. The minimum wage at year's end was \$35 (25,480 CFA francs) per month. Most wages, including the minimum wage, were insufficient to provide a decent standard of living for a worker and family. Nearly all private sector and state-owned firms paid at least the minimum wage, but the lowest public sector wages remained below the minimum wage. The low wages among customs, police, and military officials contributed to almost daily extortion of the civilian population along all major roads (see Section 2.d.).

The Government, which owned businesses that dominate many sectors of the formal economy, remained the largest employer. The Government reduced significantly the large salary arrears owed to civil servants and military personnel, although some arrears remained.

The law limits most agricultural work to 39 hours per week, with overtime paid for supplementary hours. Agricultural work was limited to 2,400 hours per year. All workers were entitled to an unbroken period of 48 hours of rest per week, although in practice these rights rarely were enforced.

The Labor Code mandates occupational health and safety standards and inspectors with the authority to enforce them; however, these standards rarely were respected in practice in the private sector and were nonexistent in the civil service. The UST has claimed before the ILO that the labor inspection service was not allocated the resources

necessary to perform its duties. Workers can remove themselves from dangerous working conditions; however, in practice they cannot leave without jeopardizing their employment.

All workers--foreign, citizen, legal, or illegal--are protected under the Labor Code.

f. Trafficking

The law prohibits trafficking in persons; however, there were reports of trafficking. Children were trafficked for forced labor. For example, a 9-year-old girl's family sold her to a former subprefect now living in N'Djamena. She had been forcibly working as a maid for 6 months in the man's home when she fled in June, initially finding refuge at the national radio station. When the radio aired an appeal for her parents to come and pick her up, her employers appeared, carrying a copy of a work contract signed by her parents, two witnesses, and the head of the gendarme brigade in her home department. Gendarmes who were present at the radio station contacted local human rights organizations, and refused to return the child to her employers. The employers were taken to the gendarmes' station, and then summoned to court by the national prosecutor on July 4; they did not show up.

Begging for food or money by "mahadjir" children forced to do so by their teachers was a problem (see Section 6.c.).

The Penal Code makes trafficking in persons a crime punishable by 5 to 20 years in prison; however, no governmental organization focused on the problem, and no economic or financial aid was available unless a victim sought damages in court. The Government sponsored educational campaigns through the media to advise parents to instruct children about the danger of trusting strangers.